

AMENDED**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**Date of filing in State Engineer's Office DEC 19 2002

Returned to applicant for correction _____

Corrected application filed _____

Map filed DEC 19 2002

The applicant **Winnemucca Farms, Inc.**, hereby makes application for permission to change the **point of diversion** of water heretofore appropriated under **Permit 65834**

1. The source of water is **underground – Well No. 5**
2. The amount of water to be changed **1.0 cfs**
3. The water to be used for **irrigation**
4. The water heretofore permitted for **irrigation**
5. The water is to be diverted at the following point **within the SW¼ SW¼ of Section 14, T.37N., R.39E., MDB&M or at a point from which the SW corner of said Section 14 bears S 75°24' W 206.0 feet**
6. The existing permitted point of diversion is located within **the NW¼ SW¼ of Section 14, T.37N., R.39E., MDB&M or at a point from which the W¼ corner of said Section 14 bears N 44°40' W 320.00 feet**
7. Proposed place of use **unchanged (3300 acres)**
8. Existing place of use **NE¼ and S½ of Section 12, all of Section 13, NE¼ and S½ of Section 14, NE¼ and S½ of Section 21, all of Section 22, all of Section 23, all of Section 27, NW¼ NW¼ of Section 28, and NE¼ and S½ of Section 29, all in T.37N., R.39E., MDB&M (3300 acres)**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **drilled well, pipelines and circular sprinklers**
12. Estimated cost of works **in excess of \$10,000**
13. Estimated time required to construct works **3 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks: **See map filed to support Permit 65834 that was filed to change Permit 34008.**

Desert Mountain Surveying as agent
By **John H. Milton III, PLS, SWRS**
s/John H. Milton III
146 West Second Street
Winnemucca, NV 89445

Compared cmf/cac lt/gkl

Protested _____

AMENDED

69422

Page 2 of 3

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 65834 is issued subject to the terms and conditions imposed in said Permit 65834 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under:

Permit 24434, Certificate 7757; Permit 25652, Certificate 8681;
Permit 25653, Certificate 8682; Permit 25654, Certificate 8683;
Permit 25655, Certificate 8751; Permit 25656, Certificate 8684;
Permit 25657, Certificate 8752; Permit 25658, Certificate 8685;
Permit 25659, Certificate 8686; Permit 25926, Certificate 9102;
Permit 25927, Certificate 9103; Permit 25941, Certificate 9104;
Permit 25944, Certificate 9105; Permit 25945, Certificate 9106;
Permit 25946, Certificate 9107; Permit 25947, Certificate 9108;
Permit 25948, Certificate 9109; Permit 25949, Certificate 9110;
Permit 25950, Certificate 9111; Permit 25951, Certificate 9112;
Permit 27447, Certificate 9122; Permit 27448, Certificate 9148;
Permit 28024, Certificate 9123; Permit 28025, Certificate 9124;
Permit 28526, Certificate 9128; Permit 29003, Certificate 8687;
Permit 29257, Certificate 9129; Permit 29258, Certificate 9130;
Permit 29663, Certificate 8923; Permit 30343, Certificate 9134;
Permit 30344, Certificate 9135; Permit 30597, Certificate 9594;
Permit 31080, Certificate 9139; Permit 31081, Certificate 9140;
Permit 34000, Certificate 9598; Permit 34001, Certificate 9599;
Permit 34002, Certificate 9600; Permit 34003, Certificate 9601;
Permit 34005, Certificate 9602; Permit 34006, Certificate 9603;
Permit 34007, Certificate 9605; Permit 34008, Certificate 9610;
Permit 36319, Certificate 10359; Permit 39590, Certificate 10361;
Permit 42596, Certificate 10362; Permit 42597, Certificate 10363;
Permit 45712, Certificate 13271; Permit 49321, Certificate 12803;
Permit 55111, Certificate 13848; Permit 55112, Certificate 13849;
Permits 65823 through 65832, inclusive; Permits 65835 through 65864, inclusive; Permit 69422 and Permit 69423

shall not exceed 36,261.22 acre-feet annually for the irrigation of 14,486.35 acres within the described places of use of the above listed permits and certificates. The duty attributed to consumptive use is 33,360.33 acre-feet annually and any future changes of these permits may be limited to this duty.

If Winnemucca Farms is unable to stay within the duty limitations of these amended permits, then the area irrigated must be reduced to satisfy the duty limitations.

When filing the proof of beneficial use (PBU) for Permits 65823 through 65832, inclusive; Permits 65835 through 65864, inclusive; Permit 69422 and Permit 69423, Winnemucca Farms must submit culture maps for both the New Farm and Old Farm.

(Continued on Page 3)

AMENDED

Page 3 of 3
(Permit Terms Continued)

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An annual report covering both the New Farm and Old Farm in a format acceptable to the State Engineer shall be filed in accordance with the terms of paragraph 7.3 of the report prepared for Winnemucca Farms, Inc. by Cascade Earth Sciences Ltd., revised April, 2001.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before:

November 25, 2004

Proof of completion of work shall be filed on or before:

December 25, 2004

Water must be placed to beneficial use on or before:

November 25, 2006

Proof of the application of water to beneficial use shall be filed on or before:

December 25, 2006

Map in support of proof of beneficial use shall be filed on or before:

December 25, 2006

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 28th day of July, A.D. 2006

Tracy Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

See Amended

No. 69422

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
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1. The source of water is **underground – Well No. 5**
2. The amount of water to be changed **1.0 cfs**
3. The water to be used for **irrigation**
4. The water heretofore permitted for **irrigation**
5. The water is to be diverted at the following point **within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, T.37N., R.39E., MDB&M or at a point from which the SW corner of said Section 14 bears S 75°24' W 206.0 feet**
6. The existing permitted point of diversion is located within **the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, T.37N., R.39E., MDB&M or at a point from which the W $\frac{1}{4}$ corner of said Section 14 bears N 44°40' W 320.00 feet**
7. Proposed place of use **unchanged (3300 acres)**
8. Existing place of use **NE $\frac{1}{4}$ and S $\frac{1}{2}$ of Section 12, all of Section 13, NE $\frac{1}{4}$ and S $\frac{1}{2}$ of Section 14, NE $\frac{1}{4}$ and S $\frac{1}{2}$ of Section 21, all of Section 22, all of Section 23, all of Section 27, NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, and NE $\frac{1}{4}$ and S $\frac{1}{2}$ of Section 29, all in T.37N., R.39E., MDB&M (3300 acres)**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **drilled well, pipelines and circular sprinklers**
12. Estimated cost of works **in excess of \$10,000**
13. Estimated time required to construct works **3 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks: **See map filed to support Permit 65834 that was filed to change Permit 34008.**

By **Desert Mountain Surveying as agent**
John H. Milton III, PLS, SWRS
s/John H. Milton III
146 West Second Street
Winnemucca, NV 89445

Compared cmf/cac dl/sam

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 65834 is issued subject to the terms and conditions imposed in said Permit 65834 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 65823 through 65832, inclusive, and Permits 65835 through 65864, inclusive and Permits 69422 and 69423 shall not exceed 4,125 acre-feet annually for the irrigation of 3,354 acres within the described place of use.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Issuance of Permits 65823 through 65832, inclusive, and Permits 65835 through 65864, inclusive, Permit 69422 and Permit 69423 shall limit the land irrigated by Winnemucca Farms, Inc., at the existing place of use to 13,344.13 acres. The amount of water allowed to be placed to beneficial use at the existing place of use is limited to 17,392.41 acre-feet annually.

An annual report covering both sites in a format acceptable to the State Engineer shall be filed in accordance with the terms of paragraph 7.3 of the report prepared for Winnemucca Farms, Inc. by Cascade Earth Sciences Ltd., revised February, 1999.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before:

November 25, 2004

Proof of completion of work shall be filed before:

December 25, 2004

Water must be placed to beneficial use on or before:

November 25, 2006

Proof of the application of water to beneficial use shall be filed on or before:

December 25, 2006

Map in support of proof of beneficial use shall be filed on or before:

December 25, 2006

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 25th day of November, A.D. 2003



State Engineer

JAN 06 2005

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____